

REMARKS

I. INTRODUCTION

Applicants thank the Examiner for the indication that claim 36, 37, 40 and 41 are allowed, and that claims 1-29, 31-35, 38, 39 and 41 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 101.

Accordingly, claims 1, 15, 30, 34, 35, 38, 39 and 41 have been cancelled above, without prejudice. Applicants reserve the right to prosecute the subject matter of these cancelled claims in one or more continuing applications. Further, independent claims 20, 22, 23, 26, 31 and 33 have been amended to each recite a “software storage medium” instead of a “method” which has been indicted by the Examiner as complying with the requirements of 35 U.S.C. § 101. Other claims which depend from these modified independent claims have been amended to each recite the “software storage medium” instead of the “method” and depend from the respective “software storage medium” independent claim.

It is respectfully noted that during a telephone conference with Applicants representative, the Examiner authorized the amendments to the claims as set forth herein above

Accordingly, claims 2-14, 16-29, 31-33, 36, 37, 40 and 42 are now under consideration in the present application. No new matter has been added.

II. REJECTION OF CLAIMS UNDER 35 U.S.C. § 101 SHOULD BE WITHDRAWN

Claims 1-29, 31-35, 38, 39 and 41 stand finally rejected under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter. As the Examiner shall ascertain, claims 1, 15, 30, 34, 35, 38, 39 and 41 have been cancelled above, without prejudice, and independent claims 20, 22, 23, 26, 31 and 33 have been amended to each recite a “software storage medium” instead of a “method” which has been indicted by the Examiner as complying with the requirements of 35 U.S.C. § 101. Other claims which depend from these modified independent claims have been amended to each recite the “software storage medium” instead of the “method” and depend from the respective “software storage medium” independent claim.

Accordingly, while the Applicants respectfully disagree with the Examiner’s § 101 rejection, this rejection is now moot in view of the cancellation of claims 1, 15, 30, 34, 35, 38, 39 and 41 and amendments to claims 2-15, 16-29, and 31-33. Therefore, the final rejection of claims 1-29, 31-35, 38, 39 and 41 under 35 U.S.C. § 101 should be withdrawn.

III. CONCLUSION

In light of the foregoing, Applicants respectfully submit that pending claims 2-14, 16-29, 31-33, 36, 37, 40 and 42 are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

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